

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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RALPH COUNTRYMAN,

Plaintiff,

vs.

BACA, et al.,

Defendants.

3:07-CV-00052-PMP-RAM

**ORDER**

Before the Court for consideration are Defendants' Motion for Partial Dismissal (Doc. #75) filed February 5, 2009. On June 24, 2009, the Honorable Robert A. McQuaid, Jr., United States Magistrate Judge, entered a Report and Recommendation (Doc. #90) recommending that Defendants' Motion for Partial Dismissal (Doc. #75) be granted as to Counts IV and V of the Amended Complaint with prejudice. Magistrate Judge McQuaid's Report further recommended denial of Plaintiff Countryman's Motion to Strike (Doc. #83).

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 and determines that Magistrate Judge McQuaid's Report of Findings and Recommendation should be Affirmed.

1           **IT IS THEREFORE ORDERED that** Defendants' Motion for Partial  
2 Dismissal (Doc. #75) as to Counts IV and V of the Amended Complaint is  
3 GRANTED with prejudice.

4           **IT IS FURTHER ORDERED that** Plaintiff Countryman's Motion to  
5 Strike (Doc. #83) is DENIED.

6           **IT IS FURTHER ORDERED that** Defendants Williams, Jaeger, and  
7 Rexwinkel are DISMISSED with prejudice.

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9 DATED: July 15, 2009.

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12 PHILIP M. PRO  
13 United States District Judge  
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